

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY DIAZ,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:21-cv-00447-HBK (SS)

ORDER GRANTING MOTION TO PROCEED
IN FORMA PAUPERIS, DIRECTING CLERK
TO ISSUE THE SUMMONS AND THE CASE
SCHEDULING AND BRIEFING ORDER

(Doc. No. 2)

Pending before the Court is Plaintiff's motion for leave to proceed *in forma pauperis* under 28 U.S.C. § 1915 in this Social Security appeal. (Doc. No. 2). Plaintiff's declarations in the motion satisfies the requirements under § 1915 to proceed *in forma pauperis*.

By separate order, this Court will issue a Scheduling and Briefing Order. Plaintiff is directed to paragraph 1 of that Order. Plaintiff shall promptly file proof of service with the Court upon completion of service.

Accordingly, it is **ORDERED:**

1. Plaintiff's motion for leave to proceed *in forma pauperis* (Doc. No. 2) is **GRANTED**.

1 2. The Clerk of Court shall attach its “Instructions for Service of Social Security Appeals”
2 to this Order.

3 3. The Clerk is directed to issue summons.

4 4. Plaintiff shall promptly review the above-referenced Instructions for Service of Social
5 Security Appeals and provide the clerk’s office with the documents requested therein no later
6 than fourteen (14) days form the date on this Order. Plaintiff is advised service must be completed
7 in compliance with Fed. R. Civ. P. 4, and failure to comply with Fed. R. Civ. P. 4(m) may result
8 in the dismissal of the case without further notice.


9 5. The United States Marshal is directed to serve a copy of the complaint, summons, and
10 this order upon the Commissioner. Plaintiff must assist the U.S. Marshal upon request.

11 6. Within five (5) days of receiving the return of service from the U.S. Marshal, **Plaintiff**
12 **shall file the return of service with the court.**

13 7. The Clerk is further directed to issue the Case Scheduling and Briefing Order.

14
15 IT IS SO ORDERED.

16
17 Dated: March 18, 2021


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE